REMARKS

Claims 6-20 are pending in this application. By this Amendment, claims 1-5 are canceled.

Entry of the Amendment is proper under 37 CFR §1.116 since the amendment: (a) places the application in condition for allowance for the reasons discussed herein; (b) does not raise any new issues requiring further search and/or consideration since the amendment amplifies issues previously discussed throughout prosecution; (c) does not present any additional claims without canceling a corresponding number of finally rejected claims; and (d) places the application in better form for appeal, should an appeal be necessary. The amendment is necessary and was not earlier presented because it is made in response to arguments raised in the final rejection. Entry of the amendment is thus respectfully requested.

The Office Action objects to claims 1-5 because of informalities. However, as a result of the cancellation of claims 1-5, this objection is moot.

The Office Action rejects claims 1-5 under 35 U.S.C. §112, first paragraph. The cancellation of claims 1-5 renders this rejection moot.

The Office Action rejects claims 1-5 under 35 U.S.C. §103(a). By this Amendment, claims 1-5 are canceled, and therefore their rejections are moot.

The Office Action rejects claims 6, 7, 9-12, 14, 16, 17 and 19 under 35 U.S.C. §103(a) over acknowledged prior art further considered with either U.S. Patent 5,615,065 to Cheung (hereinafter "Cheung") or the IBM Technical Disclosure Bulletin of March 1989, all considered with the Saga et al. article (hereinafter "Saga") and all further considered with U.S. Patent 5,371,725 to Yanagawa et al. (hereinafter "Yanagawa"). This rejection is respectfully traversed.

The Office Action asserts (Office Action, page 5), "the claim also recites appropriate positioning elements for their desired results. Although there inherently is positioning elements in the above references, it is not clear that they are separate positioning elements for

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the respective heads. Yanagawa discloses/teaches in this environment the ability of having "separate moving heads". However, Applicants respectfully submit that neither Saga nor Yanagawa discloses or suggests "a first positioner for positioning the optical head and the recording magnetic head...on the basis of magneto-optical signals from the magnetic marks" or "a second positioner for positioning the reproducing magnetic head at the target track during information reproduction", as recited in claim 6.

Saga discloses a conventional MO recording medium having embossed pits. Furthermore, Saga expressly discloses that the servowriting process in conventional magnetic disk drives can be omitted by using the signals detected from the embossed pits. Saga discloses detecting optical signals from the embossed pits and detecting magnetic signals from the embossed pits, in order to follow the data tracks. Therefore, in view of the recording medium structure of Saga having embossed pits, it is not obvious for Saga to position "the optical head and the recording magnetic head...on the basis of magneto-optical signals from the magnetic marks". Thus, it is not obvious to combine Saga with the other references to achieve the combination of features recited in claim 6.

Yanagawa teaches a read-write head of a magneto-optical disk player having an optical head 14 with optical pickup and a magnetic head 16 having an electromagnet. Both of these components are used to perform the recording of the magneto-optical disk. Although each component does in fact have separate positioning means, the optimum relative position of the magnetic head 16 to the optical head 17 is determine by measuring the output of a magnetic force sensor 23, which detects the relative positions of a magnet 21 affixed to the magnetic head 16 to a magnet 22 affixed to the optical head 17. Yanagawa does not position an optical head and a magnetic head on the basis of magneto-optical signals from the magnetic marks. Furthermore, Yanagawa does not disclose or suggest "a second positioner for positioning the reproducing magnetic head at the target track during information reproduction", as there is no reproducing magnetic head in Yanagawa. Instead, in Yanagawa,

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the second positioning means positions the electromagnet, which is a component of the read-write head. The electromagnet applies the magnetic field which is required to write the magnetic domains in the media. Therefore, Yanagawa does not disclose or suggest the element recited in claim 6 of "a second positioner for positioning the reproducing magnetic head," and claim 6 is patentable over the cited references.

Independent claim 16 recites "controlling the position of the optical head and the recording magnetic head on the basis of the detected magneto-optical signals. As argued above, neither Saga nor Yanagawa discloses or suggests this feature. Independent claim 16 further recites "detecting magnetic leakage fields from the magnetic marks with the reproducing magnetic head, and controlling the position of the reproducing magnetic head on the basis of the detected magnetic leakage fields." Since Yanagawa does not disclose a reproducing magnetic head, it also does not disclose or suggest "controlling the position of the reproducing magnetic head," and therefore independent claim 16 is patentable over the cited references.

The Office Action rejects claims 8, 15 and 20 under 35 U.S.C. §103(a) over the art as applied to claims 6, 7, 9-12 and 14, further in view of Official Notice. However, the Official Notice does not supply the element missing in Saga and Yanagawa of "a first positioner for positioning the optical head and the recording magnetic head on the basis of magneto-optical signals" or "a second positioner for positioning the reproducing magnetic head at the target track during information reproduction". Therefore, the Official Notice does not remedy the deficiency of the cited references with regard to claims 6 and 16.

Claims 13 and 18 are rejected under 35 U.S.C. §103(a) over the cited art as applied to claims 6, 7, 9-12, 14, 16, 17 and 19, and further in view of JP 10-021598. However, JP 10-021598 discloses a magneto-optical recording medium in which information recorded with a high density can be reproduced by both of a magneto-optical method and magnetic method. However, JP 10-021598 does not disclose or suggest "a first positioner for

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positioning an optical head and recording magnetic head on the basis of magneto-optical signals from the magnetic marks" or "a second positioner for positioning the reproducing magnetic head at the target track during information reproduction". Therefore, JP 10-021598 does not supply the elements missing from Saga and Yanagawa, and does not remedy the deficiency of Saga and Yanagawa with respect to claims 6 and 16.

In view of the above, independent claims 6 and 16 are patentable over the cited references. Dependent claims 7-15 are patentable by their dependence on patentable claim 6, as well as for the additional features they recite, and dependent claims 17-20 are patentable by their dependence on claim 16, as well as for the additional features they recite. Therefore, Applicant respectfully requests the withdrawal of the rejection of claims 6-20 under 35 U.S.C. §103(a).

In view of the foregoing remarks, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 6-20 are earnestly solicited.

Should the Examiner believe that anything further is desirable in order to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

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